

FILED-RECORDED

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS  
2025 JUN 16 AM 11:19

COUNTY OF DORCHESTER

CHERYL GRAHAM  
CLERK OF COURT  
DORCHESTER COUNTY

Civil Action No: 2024-CP-18-01459

**ATTIA ELBADAWY & LYNNE CHATLOS  
PLAINTIFFS,**

**V**

**D. R. HORTON, Inc,  
DEFENDANTS,**

**MEMORANDUM  
SUPPORTING PLAINTIFFS  
MOTION TO RECONSIDER,  
MOTION TO COMPEL AND  
MOTION TO INVESTIGATE**

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Attorneys for  
Defendant, D.R. Horton, Inc

Attia Elbadawy

Lynne Chatlos

Date: June 16, 2025

493 Wise Road  
Summerville, SC 29483

Ph#: 843-641-8556

ala\_international@yahoo.com

## MEMORANDUM

### SUPPORTING PLAINTIFFS' MOTION TO RECONSIDER MOTION TO COMPEL & MOTION TO INVESTIGATE

COMES NOW the Plaintiffs, and submit this Memorandum in support of their Motion to Reconsider and Motion to Compel an Internal Investigation:

On January 21, 2025, during the virtual hearing on the plaintiffs' motion for injunction, Dorchester County Attorney Bradley Mitchell stated to Judge Mattie Murphy that Wise Lane was a county road. This statement is false. In a prior meeting held on November 14, 2024, with the plaintiffs, Mr. Mitchell clearly acknowledged that Wise Lane is a private road, a private driveway. He informed the plaintiffs that Dorchester County had never accepted the road or its maintenance responsibilities, and further stated that he would correct the Dorchester County GIS mapping to reflect that Wise Lane is a private road.

See; Exhibit A, for the chain of emails between the plaintiffs and Mr. Mitchell confirming these facts.

Additionally, Mr. Mitchell communicated via email with Amanda Wise, a neighboring landowner, confirming that Wise Lane is private and that ownership was shared between the plaintiff, Attia Elbadawy and Amanda Wise. Subsequently, the plaintiff filed a petition to the Court seeking official ownership of Wise Lane, accompanied by affidavits from neighboring landowners granting full consent to Attia Elbadawy as the sole owner of Wise Lane.

Despite these representations, Mr. Mitchell contradicted himself at the January 21, 2025 hearing, falsely testifying before Judge Murphy that Wise Lane was a public road. The plaintiffs now seek to have Mr. Mitchell's statement stricken from the record for the following reasons:

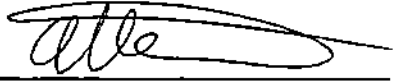
1. Mr. Mitchell lied under representation to the Court, contradicting his own prior statements and written communications to both plaintiffs and Amanda Wise (see Exhibits A & B).
2. Mr. Mitchell's hearing statement was not made under oath, yet it caused significant prejudice to the plaintiffs' claims against D.R. Horton.
3. Mr. Mitchell has never submitted any document proving that Dorchester County accepted Wise Lane as a public road or conducted any maintenance on it.
4. Dorchester County's refusal to release relevant FOIA materials and its protection of D.R. Horton's fraudulent permit demonstrates bias and collusion.

**MEMORANDUM OF LAW**

WHEREFORE, the plaintiffs respectfully request that the Court:

- Strike Attorney Bradley Mitchell's false statement from the January 21, 2025 hearing record;
- Compel an internal investigation into Mr. Mitchell's conduct and statements;
- Reconsider its prior ruling in light of the documented misrepresentations and supporting evidence.

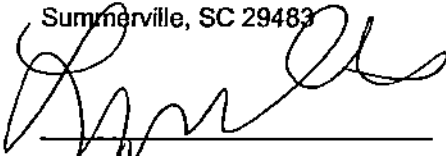
Respectfully submitted,



Attia Elbadawy

493 Wise Road

Summerville, SC 29483



Lynne Chatlos

493 Wise Road

Summerville, SC 29483

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DORCHESTER COUNTY

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**EXHIBIT - A**

**Melissa R. Bates**

**Fri, Nov 8, 2024 at 4:18 P**

**Mr. Elbadawy, Good afternoon, Deputy County Attorney Bradley A. Mitchell would like to set up a meeting so speak with you in person. Could you please provide some dates and times next week that would work for you and your wife, Ms. Chatlos?**

**Melissa R. Bates**

**Mr. Elbadawy, It was good speaking with you and your wife a few minutes ago. I have reserved a conference room located at 500 N. Main Street in Summerville. Please enter through the main entrance that faces Hwy 17A. There you will go through security. Please let them know you have a meeting with Deputy County Attorney, Brad Mitchell in the County Council Conference Room. Please let me know if you need anything else. Thank you.**

**Melissa R. Bates**

**Litigation Paralegal**

**Fri, Nov 15, 2024 at 11:51am**

**Mr. Elbadawy The County Attorney, John Frampton would like for me to schedule a meeting with you regarding what we met with you about this past Wednesday. Please let me know what dates and times work for you and your wife next week. I hope you have a great weekend and look forward to hearing back from you.**

**Melissa R. Bates**

**Litigation Paralegal**

**Bradley A. Mitchell**

**Thu, Nov 21, 2024 at 10:04 AM**

**Please feel free to Brad.**

**I am sorry to hear that Lynne is not feeling well.**

**I will have Melissa reschedule with you had the opportunity to speak with your neighbor Ms. Wise and we had a very productive discussion.**

**Regards Brad**

**On Wed, Nov 20, 2024 at 3:16 PM, Bradley A. Mitchell**

**<BMitchell@dorchestercountysc.gov> wrote:**

**Attia-While I was under the impression that our meeting was polite and cordial, it appears I may have been mistaken. It is unacceptable for you to be demanding towards my staff. They are simply attempting to arrange another meeting to discuss possible resolutions. My staff and I have done nothing but treat you and your wife with respect and dignity and I expect the same from you.**

**I am trying to be as helpful as I can. Remember, I am not your attorney. I represent the County. I understand you are passionate about this issue, but to be able to accomplish anything your interactions with me and my staff need to be ones of cooperation and not adversarial and demanding. I look forward to meeting with you tomorrow in the spirit working together.**

**Please remember, I said I would attempt to have the map changed. The request has been sent.**

**As to what has been done to make wise land private, that was the point of our meeting to discuss solutions. As I stated repeatedly, only the court can make the road private.**

**Wise Lane Status**

**Mon, Jan 6 at 6:06 PM**

**Hello Brad**

**Hope you had a great holiday/New Years**

**Could we please have the current status of my driveway**

**I know from the meeting we all had in mid November**

**You said you put a request in with GIS mapping department**

**We would just like to have clear status ,of that request of Wise Lane.**

**Thank you for all your help**

**Attia Elbadawy**

**843 641 8556**

**Tue, Jan 7 at 10:28 AM**

**Mr. Elbadawy,**

**To make sure I am clear, I represent Dorchester County and not you nor your wife.**

**As we discussed, the disposition of the roadway is up to the courts and a motions hearing has been scheduled for 21 January 2024 by the court.**

**As was explained following our November attempted settlement negotiation meeting, the name on the road was generated by Google as what was being shown was a map layer owned by Goggle. A request was sent to Google. Whether Google changes it or not is beyond the County's authority.**

**Brad**

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2025 JUN 16 AM 11:19

CHEYLL GRAHAM  
CLERK OF COURT  
SROCHESTER COUNTY

**EXHIBIT - B**

**Affidavit of Amanda Wise**

To whom it may concern,

Due to the conversation with Davis McNair on 11/17/2024 I reached out to my neighbor, Attia Elbadawy, about the proposal offer from DR Horton. This is when I learned of what he had been dealing with regarding the easement as I was unaware before I was approached at my office.

I was aware that he previously tried to have sewer access and get the road cleared to have access to his home on Wise Lane but was denied by the county on both requests stating it was a private road and not maintained by the county.

I previously had spoken with Jim Simpson years ago about getting Twin Lakes Drive, Weir Road, and Wise Lane paved. They repaved Twin Lakes Drive due to the potholes and wear and tear. They then agreed to pave Weir Road but declined paving Wise Lane as they stated it was not a county-maintained road.

Attia also stated that the County office told him it was renamed road from lane for 911 emergency access. I have the documents from 7/23/1990 stating our official new house number is 502 Wise Lane, Summerville, SC 29483 and the action is necessary for the establishment of the "911" centralized dispatching, which will reduce the time required for police, fire, and EMS assistance to reach us during an emergency and it will also improve the quality of the mail and location of our home by other visitors. (paperwork attached)

11/20/2025 I called the tax assessors office for Dorchester County to inquire who pays taxes on the road & how to move forward in the process to own the road. They stated that no one pays taxes as it is not county maintained. I also inquired why and when Wise Lane was deemed or renamed Wise Road and they stated that I would have to go to the County Services office on N Main Street.

I then went straight to the county office building and asked to speak to someone on the clarity of when Wise Lane was renamed Road by the county. They asked me to wait a moment. Missy Hopkins came out from the back very angry stating that my appointment was tomorrow. I told her I did not have an appointment and restated again why I was there. She said that it was always a road and that it was a "mistype" on Dorchester County's part. I let her know that my name was Amanda Wise and it was not always a road. In my hand I held the paperwork dated 9/29/1987 from the Dorchester County Planning Department where my mother, Marcia Wise, requested to name the private access road Wise Lane and the county approved. She stated she had never seen that paperwork before and then offered we go speak in a conference room as this was in the middle of the lobby. I agreed and as soon as we went in the county attorney, Bradley Mitchell, offered to take over the conversation with me.

I let him know I was there for an inquiry on the road vs lane, and I have the documents from the county. I inquired on owning the road. He said it was a process with the judge that he would have to initiate as long as all of my neighbors were on board, and I agreed that I will maintain the road. We have always maintained the road and are willing to continue doing so. Since this conversation I have reached out to Mr. Mitchell a few times and the last email I received stated that I have not received a response from him because my neighbor appears he does not want a resolution. I am not sure what my neighbor's situation has to do with me owning the road as he previously stated I could. This action from Mr. Mitchell makes me think that he will give the road to DR Horton. This is a dead-end road both ways with 4 residents living on it whom have all maintained the road since residing here on our own. The part of the road they

Affidavit of Amanda Wise

are requesting for the easement is only accessible to Attia and no other residents live on this end. He built the access to his house on his own as the county denied clearing it for him.

During the meeting with Mr. Mitchell he admitted that Attia was suing DR Horton and the county and that DR Horton was now suing the county as well and Attia. I made it clear that I was there only to inquire on the lane vs road change and to move forward in the process of paying taxes and owning the road. All of the residents on Wise Lane are in agreeance with any of us owning and paying tax on the road. I do not mind if Attia owns the road and he does not mind if I do either. (emails of the conversation with Brad Mitchell are attached)

Thank you,

Amanda Wise  
843-343-6126  
ajw502@gmail.com  
502 Wise Lane  
Summerville, SC 29483

Signature: Amanda Wise Date: 1/24/2025

Notary: per notary page Date: \_\_\_\_\_

Jurat Notary Certificate (Only for use in AR, AZ, CO, CT, DC, DE, GA, ID, IA, IL, KS, KY, MA, MD, ME, MN, MO, MT, NH, NJ, NM, NY, NV, NC, OH, OK, OR, PA, RI, SC, TX, UT, VA, WA)

Document Name: Affidavit of Amanda Wise

STATE OF South Carolina  
COUNTY OF Dorchester  
(County where notarization occurred)

Subscribed and sworn before me on 24<sup>th</sup> day of January, 2025, by  
Amanda Wise (name(s) of signer(s)), who personally appeared before me and  
(is personally known to me or whose identity was proved on the basis of satisfactory evidence) to be the person  
whose name is subscribed to in this document.

ELIZABETH JENKINS  
Notary Public - State of South Carolina  
My Commission Expires November 28, 2032

Elizabeth Jenkins

(Signature of notary public)

Elizabeth Jenkins

, Notary Public

(Name of notary public)

My commission expires: 11/28/2032

Official Seal

Personally known X OR

Produced identification \_\_\_\_\_ Type of identification produced: \_\_\_\_\_

E6-17

From: Amanda Wise <ajw502@gmail.com>  
Sent: Thursday, November 21, 2024 17:59  
To: Bradley A. Mitchell <BMitchell@dorchestercountysc.gov>  
Subject: Re: Meeting

Okay thanks Brad.

Were you able to get the process started on the road ownership to speak to a judge?

Thank you.

Amanda Wise

On Nov 21, 2024, at 11:01 AM, Amanda Wise <ajw502@gmail.com> wrote:

Thanks for letting me know Brad.

Have a great day,

Amanda Wise

CERTIFIED COPY  
2025 MAY 14 PM 3:17  
Bradley A. Mitchell  
CLERK OF COURT  
DORCHESTER COUNTY

On Nov 21, 2024, at 9:40 AM, Bradley A. Mitchell <BMitchell@dorchestercountysc.gov> wrote:

Please feel free to call me Brad.

Attia has asked to reschedule the meeting today.

I'll give you an update sometime today about rescheduling.

Brad

<175x175-15030453689181441724.jpg> <38x140-2739072622927075754.png> Bradley A. Mitchell

From: Amanda Wise <ajw502@gmail.com>  
Sent: Thursday, November 21, 2024 07:08  
To: Bradley A. Mitchell <BMitchell@dorchestercountysc.gov>  
Subject: Meeting

[EXTERNAL - This message originated outside our organization. Use caution when clicking links or opening attachments.]

Mr Mitchell,

I was unable to contact my neighbor yesterday regarding the meeting today. What time will that be held? Hopefully we can get something figured out for all parties amicably.

I do have meetings today so I am hoping I can shift something around.

Thank you,

Amanda Wise

64-18

Fwd: Meeting

From: Amanda Wise (ajw502@gmail.com)  
To: ala\_international@yahoo.com  
Date: Thursday, January 23, 2025 at 06:31 PM EST

Amanda Wise

Begin forwarded message:

From: "Bradley A. Mitchell" <BMitchell@dorchestercountysc.gov>  
Date: January 16, 2025 at 8:14:34 AM EST  
To: Amanda Wise <ajw502@gmail.com>  
Subject: RE: Meeting

I'll email more later today

Sent from my Verizon, Samsung Galaxy smartphone

CERTIFIED COPY  
2025 MAY 14 PM 3:47  
Joni P. Johnson  
CLERK OF COURT  
DORCHESTER COUNTY

----- Original message -----

From: Amanda Wise <ajw502@gmail.com>  
Date: 1/16/25 07:14 (GMT-05:00)  
To: "Bradley A. Mitchell" <BMitchell@dorchestercountysc.gov>  
Subject: Re: Meeting

Mr. Mitchell,

I have yet to receive a response to this email.  
Would you please send the next steps in the process?  
Is there a document you can provide outlining this please?

Thank you,

Amanda Wise

On Nov 22, 2024, at 9:02 AM, Amanda Wise <ajw502@gmail.com> wrote:

Everyone on board as in my neighbors? If that is the case, I have spoken to them all and everyone is on board with me owning the lane. What would the next steps be?

Amanda Wise

On Nov 22, 2024, at 8:54 AM, Bradley A. Mitchell <BMitchell@dorchestercountysc.gov> wrote:

No. That process takes a bit of time and I want to make sure everyone is onboard before I would begin.

brad

<175x175-

15030453689181441724.jpg>2739072622927075754.png>

<38x140-

Bradley A. Mitchell